

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Civil File No. 05-1272 (RHK/AJB)

MICHAEL GAVANDA and GARY LARSON,
as Trustees of the Painters and Allied Trades
District Council No. 82 Health Care Fund,
and MICHAEL GRAVADA and JAMES SMALLEN,
as Trustees of the Minnesota Finishing Trades
Training Fund, and each of their successors,

Plaintiffs,

vs.

ORDER TO SHOW CAUSE

MARSHALL PAINTING, INC, and
GLENN MARSHALL, individually,

Defendants.

The above matter came before the Court upon Plaintiffs' Motion Seeking an Order to Show Cause to hold Defendant in civil contempt for failure to obey the Court's previous Order dated December 30, 2005, which ordered Defendant to file the reports for the month of September, 2005 and any other reports which became due during the pendency of this litigation and to produce for inspection and audit Defendants' payroll and employment records for the period of December 2003 to the present within ten days. Pursuant to that Motion, the Court now makes the following Order:

IT IS HEREBY ORDERED:

1. Defendant Glenn Marshall, as owner and/or officer of Defendant Marshall Painting, Inc. is hereby ordered to personally appear before this Court on **April 18, 2006** at **8:00 a.m.** at the United States Courthouse, Courtroom 1, 180 East Fifth Street, St. Paul, MN 55415 to show cause, if any, why a contempt of court order should not be

entered adjudging them in civil contempt of this Court for continuing to refuse to file the reports for the months of September, 2005 through the present and produce for inspection and audit their payroll and employment records for the period of December 2003 through the present and that it should show cause why Glenn Marshall should not be committed to confinement until compliance with the Court's Order of December 30, 2005.

Dated: March 2, 2006

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge